

Mark A. Miller, 9563
mmiller@hollandhart.com

Ginger Utley, 11788
gutley@hollandhart.com

HOLLAND & HART LLP
222 South Main Street, Suite 2200
Salt Lake City, UT 84101
Telephone: (801) 799-5800
Facsimile: (801) 799-5700

Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

ICON HEALTH & FITNESS, INC., a
Delaware corporation,

Plaintiff,

v.

**PRO-FORM PERSONAL TRAINING,
INC., a Washington corporation,**

Defendant.

NOTICE OF VOLUNTARY DISMISSAL

Case No. 1:12-cv-00214

Magistrate Judge Brooke C. Wells

Plaintiff ICON Health & Fitness, Inc. respectfully submits this Notice of Voluntary Dismissal of its claims against Defendant Pro-Form Personal Training, Inc. pursuant to Rule 41(a) of the Federal Rules of Civil Procedure. Defendant has not filed an Answer or Motion for Summary Judgment. Accordingly, Plaintiff voluntarily dismisses this case with prejudice and without Court order.

DATED this 4th day of February, 2013.

HOLLAND & HART LLP

/s/ Mark A. Miller

Mark A. Miller

Ginger Utley

Attorneys for Plaintiff